



***Substitute Senate Bill No. 463***

***Public Act No. 16-208***

***AN ACT CONCERNING THE PENALTY FOR VIOLATIONS OF A MUNICIPAL ORDINANCE CONCERNING THE OPERATION OF A DIRT BIKE, ALL-TERRAIN VEHICLE OR MINI-MOTORCYCLE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 14-390m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(a) Any municipality that adopts an ordinance pursuant to section 7-148, as amended by this act, to regulate the operation and use on public property, including hours of use, of dirt bikes or mini-motorcycles may prescribe a penalty for violation of such ordinance (1) in an amount not to exceed one thousand dollars for a first violation, in an amount not to exceed one thousand five hundred dollars for a second violation and in an amount not to exceed two thousand dollars for a third or subsequent violation, and (2) in the case of a municipality with a population of twenty thousand or more, to provide for the seizure and forfeiture to the municipality of such dirt bike or mini-motorcycle for violation of such ordinance, subject to any bona fide lien, lease or security interest in the dirt bike or mini-motorcycle, including, but not limited to, a lien under section 14-66c.

(b) No dirt bike or mini-motorcycle shall be forfeited under an

***Substitute Senate Bill No. 463***

ordinance adopted pursuant to this section to the extent of the interest of an owner or lienholder by reason of any act or omission committed by another person if such owner or lienholder did not know and could not have reasonably known that such dirt bike or mini-motorcycle was being used or was intended to be used in violation of a municipal ordinance.

(c) Any dirt bike or mini-motorcycle ordered forfeited pursuant to such an ordinance shall be sold at public auction conducted by the municipality. The proceeds of such sale shall be paid to the treasurer of the municipality, who shall deposit such proceeds into the general fund of the municipality.

(d) For the purposes of this section [,] and section 7-148, as amended by this act, (1) "dirt bike" means a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain and not designed for travel on a highway, as defined in section 14-1. "Dirt bike" does not include an all-terrain vehicle, as defined in section 14-379, or a motor-driven cycle, as defined in section 14-1, and (2) "mini-motorcycle" has the same meaning as provided in section 14-289j.

Sec. 2. Section 14-390 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(a) Any municipality may, by ordinance, regulate the operation and use, including hours and zones of use, of snowmobiles and all-terrain vehicles in a manner not inconsistent with the provisions of this section and sections 14-379 to [14-390] 14-389, inclusive, or any regulations adopted pursuant thereto, and may prescribe a penalty for violation of such ordinance (1) in an amount not to exceed one thousand dollars for a first violation, in an amount not to exceed one thousand five hundred dollars for a second violation and in an amount not to exceed two thousand dollars for a third or subsequent violation, and (2) in the case of a municipality with a population of twenty

***Substitute Senate Bill No. 463***

thousand or more, to provide for the seizure and forfeiture to the municipality of such all-terrain vehicle for a violation of such ordinance, subject to any bona fide lien, lease or security interest in the all-terrain vehicle, including, but not limited to, a lien under section 14-66c.

(b) No all-terrain vehicle shall be forfeited under an ordinance adopted pursuant to this section to the extent of the interest of an owner or lienholder by reason of any act or omission committed by another person if such owner or lienholder did not know and could not have reasonably known that such all-terrain vehicle was being used or was intended to be used in violation of a municipal ordinance.

(c) Any all-terrain vehicle ordered forfeited pursuant to such an ordinance shall be sold at public auction conducted by the municipality. The proceeds of such sale shall be paid to the treasurer of the municipality, who shall deposit such proceeds into the general fund of the municipality.

Sec. 3. Subdivision (10) of subsection (c) of section 7-148 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(10) (A) Make all lawful regulations and ordinances in furtherance of any general powers as enumerated in this section, and prescribe penalties for the violation of the same not to exceed two hundred fifty dollars, unless otherwise specifically provided by the general statutes. Such regulations and ordinances may be enforced by citations issued by designated municipal officers or employees, provided the regulations and ordinances have been designated specifically by the municipality for enforcement by citation in the same manner in which they were adopted and the designated municipal officers or employees issue a written warning providing notice of the specific violation before issuing the citation, except that no such written warning shall

***Substitute Senate Bill No. 463***

be required for violations of a municipal ordinance regulating the operation or use of a dirt bike, [or] all-terrain vehicle or mini-motorcycle;

(B) Adopt a code of ethical conduct;

(C) Establish and maintain free legal aid bureaus;

(D) Perform data processing and related administrative computer services for a fee for another municipality;

(E) Adopt the model ordinance concerning a municipal freedom of information advisory board created under subsection (f) of section 1-205 and establish a municipal freedom of information advisory board as provided by said ordinance and said section;

(F) Protect the historic or architectural character of properties or districts that are listed on, or under consideration for listing on, the National Register of Historic Places, 16a USC 470, or the state register of historic places, as defined in section 10-410.

Approved June 9, 2016